

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
Case No. 7:16-cv-30**

BONNIE PELTIER, as Guardian  
of A.P., a minor child, et al.;

Plaintiffs,

v.

CHARTER DAY SCHOOL, INC., et al.,

Defendants.

**JOINT STATUS REPORT**

The parties, through their undersigned attorneys, have conferred and hereby submit this Joint Status Report in accordance with the Court's text order of January 31, 2020, and state as follows:

1. This case stems from Plaintiffs' claim that Charter Day School's uniform policy, which imposes separate requirements for boys and girls, violates the federal Equal Protection Clause, Title IX of the Education Amendments of 1972, and various aspects of North Carolina state law by requiring female students to wear skirts, skorts, or jumpers while male students are allowed to wear pants or shorts. *See* DE 13.

2. On March 28, 2019, this Court issued an Order granting summary judgment (1) to all Defendants on the Title IX claim; (2) to Defendant RBA on the equal protection claim and to Plaintiffs on the federal equal-protection claim as against Defendants CDS, Inc. and the individual Defendants. The Court denied both sides' summary judgment motions without prejudice on the state-law claims (breach of contract and equal protection under the North Carolina Constitution). The Court subsequently entered partial final judgment under Rule 54(b) on the equal-protection and Title IX claims in order to facilitate an immediate appeal. *See* DE 245.

3. Proceedings in this Court on the remaining state law claims were stayed pursuant to Magistrate Judge Kimberly Swank's Order [DE 256] pending the cross-appeals, which were timely filed before the 4<sup>th</sup> Circuit.

4. The Fourth Circuit heard argument on the case en banc on December 10, 2021, and the appeal remains *sub judice*.

5. The parties last filed a joint status report as required by this Court's Order on February 11, 2022 [DE 265]. The Parties submit that there have been no new developments since the previous status report was filed.

Respectfully submitted, this 10th day of June, 2022.

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### **CERTIFICATE OF SERVICE**

On June 10, 2022, I electronically filed the foregoing Joint Status Report with the Clerk of the Court using the Court's CM/ECF system, which will serve all counsel of record.

/s/ Jonathan D. Sasser  
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